

REMARKS

This paper is filed in response to the Office Action mailed on July 2, 2003. Claims 1-43 are pending in the application. Of these, Claims 31-43 have been withdrawn as being directed to a nonelected invention. Claims 1-30 have been examined and stand rejected. Claims 31-37, 42, and 43 are canceled without prejudice to filing continuing applications for the subject matter of the canceled claims. Claims 44 and 45 have been added. Consideration of Claims 1-30, 38-41, 44, and 45 is respectfully requested.

The Amendments to Claims 1 and 38 and New Claims 44 and 45

Claims 1 and 38 recite, in essence, a method whereby the solution with ionic release agent has a pH sufficient to induce the opposite charge on the oxide surface to bond the release agent to the oxide surface. New Claims 44 and 45 recite a similar step.

Restriction Requirement and Election

The Examiner has made a restriction requirement under 35 U.S.C. § 121.

- I. Claims 1-30, drawn to a method of fabricating a thermoset article;
- II. Claims 31-37, drawn to a lens or filter;
- III. Claims 38-41, drawn to a method of using a float glass for molding; and
- IV. Claims 42 and 43, drawn to a system for molding a thermoset.

The election to initially prosecute Claims 1-30 was made on March 20, 2003. Applicants affirm the election, and further request reconsideration of the restriction requirement for the following reasons.

Claim 1 has now been amended to recite that a solution comprising an ionic release agent is used to treat the mold with a metal oxide surface. The solution has a pH that induces an attracting charge on the metal oxide surface. The induced charge is opposite to the charge of the

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ionic release agent to bond the release agent to the metal oxide surface. Similarly, Claim 38 has now been amended to recite treating a mold with a solution comprising an anionic release agent having a negative charge, wherein the solution has a pH that induces a positive charge on the tin oxide surface to attract and to bond the release agent to the tin oxide surface. As now amended, Claim 38 and Claim 1 are linked. Accordingly, as to Groups I and III, applicants respectfully request reconsideration of the restriction requirement. Claims 31-37, 42, and 43 are canceled without prejudice to the filing of any continuing application for the subject matter of the canceled claims.

The Rejection of Claim 10 Under 35 U.S.C. § 112, Second Paragraph

Claim 10 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicants regard as their invention. The Examiner states that the phrase "or the like" is indefinite such that it renders the metes and bounds of the claim uncertain. Applicants respectfully disagree. The phrase is clear to one of ordinary skill in the art.

Nevertheless, applicants have amended Claim 10 to remove the objectionable phrase to expedite the issuance of a patent, and not for any reason related to patentability.

The Rejection of Claims 1-30 Under 35 U.S.C. § 103(a)

Claims 1-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Turshani et al. (U.S. Patent No. 5,962,561) in view of either of Reiser et al. (U.S. Patent No. 3,808,077) or European Patent No. 307,561. Applicants respectfully traverse the rejection.

For a claim to be obvious there must be some suggestion or motivation either in the references or in the knowledge that is generally available to modify or combine references. Additionally, there must be a reasonable expectation of success, and all the claim elements must be found in the references.

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The Examiner states:

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method of the primary reference by employing a metal oxide coating on the mold as taught by either secondary reference to facilitate release of the finished article from the mold. It is clear from either secondary reference that a metal oxide coating on the mold facilitates removal of the polyurethane article from the mold.

As now amended Claim 1 recites "treating the mold with a solution comprising an ionic release agent, wherein the solution has a pH that induces an attracting charge on the metal oxide surface, wherein said charge is opposite to the charge of the release agent to bond the release agent to the metal oxide surface." Support for this limitation is found throughout the application. For example, please see page 14, line 21 through page 15, line 24. Applicants have thoroughly reviewed the cited and applied references, and it is applicants' belief that Turshani et al., Reiser et al., and the European patent do not describe treating a mold with a solution comprising an ionic release agent, wherein the solution has a pH that induces an attracting charge on the metal oxide surface, wherein said charge is opposite to the charge of the release agent to bond the release agent to the metal oxide surface. The present invention advantageously treats the mold with a solution having a pH that induces a charge on the metal oxide surface to bond the release agent to the metal oxide surface. This process is exemplified in FIGURES 12 and 13 of the present application. Applicants submit that the advantages rendered by the present invention, of the effects of pH on metal oxide surfaces to produce a charge, combined with the specific release agent suitable to thereby bond to the metal oxide surface, increase the effectiveness of the release agent system. Such process is not remotely suggested in any of the applied references.

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Accordingly, Claim 1 is not obvious in view of Turshani et al., either alone or in combination with either Reiser et al. or the European patent. Claims 2-30 are either directly or indirectly dependent from Claim 1. Therefore, Claims 2-30 are likewise allowable.

As now amended, Claim 38 recites "treating the mold with a solution comprising an anionic release agent having a negative charge, wherein the solution has a pH that induces a positive charge on the tin oxide surface to attract and to bond the release agent to the tin oxide surface". Therefore, Claim 38 is allowable in view of the cited and applied references. Claims 39-41 are dependent from Claim 38; therefore, Claims 39-41 are allowable.

Furthermore, Claims 44 and 45 also, in essence, recite treating a mold with a solution comprising a release agent, wherein the solution has a pH that induces an attracting force to bond the release agent to the oxide surface of the mold. Therefore, Claims 44 and 45 are allowable.

The Rejection of Claims 1-3, 9-17, 22-25, and 27-30 Under 35 U.S.C. § 101

Claims 1-3, 9-17, 22-25, and 27-30 are provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of Claims 1 - 3, 9 - 17, 18 - 21, and 23 - 26 of copending application No. 09/769,014. As now amended, the claims of the present application are no longer the same as the claims of the copending application. Accordingly, applicants respectfully request the withdrawal of Claims 1-3, 9-17, 22-25, and 27-30.

The Rejection of Claims 4-8, 18-21, and 26 Under Obviousness-Type Double Patenting

Claims 4-8, 18-21, and 26 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 4-8 and 22 of copending application No. 09/769,014. Claims 4-8, 18-21, and 26 are dependent directly or indirectly from Claim 1. As now amended, the claims of the present application are no longer obvious in view of the claims of the copending application. Accordingly, applicants respectfully request the withdrawal of the rejection of Claims 4-8, 18-21, and 26.

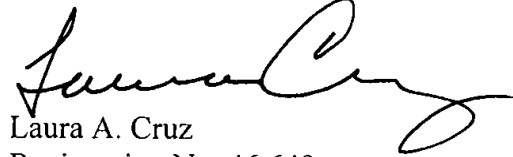
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CONCLUSION

In view of the foregoing amendments and remarks, applicants respectfully submit that Claims 1-30, 38-41, 44, and 45 are allowable. If the Examiner has any further questions or comments that may be expeditiously resolved with a telephone call, the Examiner is invited to contact the applicants' attorney at the number provided below.

Respectfully submitted,

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